



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Matthew J. Strickler  
Secretary of Natural Resources

David K. Paylor  
Director

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September 8, 2020

Lt. Col. Sonny B. Avichal  
Chief, Regulatory Branch  
U.S. Army Corps of Engineers  
Nashville District Regulatory Division  
3701 Bell Road  
Nashville, TN 37214-2660

**RE: Final Section 401 Certification of Nashville District Regional General Permit 20-RGP-02**

Dear Lt. Colonel Avichal,

Provided herein is the Commonwealth of Virginia's decision with regard to Section 401 Water Quality Certification for activities authorized by the U.S. Army Corps of Engineers (the Corps) *Regional General Permit (RGP) for Installation of Structures and Discharge of Fill Material into Waters of the United States Associated with Management of Exotic Invasive Aquatic Species (20-RGP-02)*, including conditions, as public noticed by the Corps, Nashville District on April 7, 2020.

Pursuant to 40 CFR 121.2 (a)(2) and (3), the Virginia Department of Environmental Quality (DEQ) on behalf of the State Water Control Board (the Board) has examined (i) this RGP and its conditions and (ii) other decision documents provided by the Corps to base its certification. Accordingly, the Board finds that there is a reasonable assurance that the activities permitted under this Corps' regional permit, including its conditions, will be conducted in a manner that will not violate applicable water quality standards, provided permittees comply with all applicable requirements of the 20-RGP-02.


Further, pursuant to Virginia Water Protection (VWP) Permit Regulation 9VAC25-210-130 H, the Board is issuing this final Section 401 Water Quality Certification as meeting the requirements of the VWP regulation after having advertised and accepted public comment for 30 days on our intent to provide this certification. The public comment period began on August 5, 2020 and ended on September 4, 2020. No comments were received.

Lt. Colonel Sonny B. Avichal  
September 8, 2020

Review by DEQ for consistency with Virginia's Coastal Resources Management Program (VCP) pursuant to the federal Coastal Zone Management Act of 1972, as amended, is not applicable to this action.

Please do not hesitate to contact Dave Davis (804) 698-4105 or [dave.davis@deq.virginia.gov](mailto:dave.davis@deq.virginia.gov) if you have any questions regarding this Section 401 Water Quality Certification.

Sincerely,



Melanie D. Davenport  
Director, Water Permitting Division

CC: Ms. Bettina Sullivan, DEQ Office of Environmental Impact Review  
Mr. Ryan Evans, Nashville District Army Corps of Engineers  
Mr. Tom Walker, Norfolk District Army Corps of Engineers  
Mr. Tony Watkinson; Chief, Habitat Division, Virginia Marine Resources Commission  
DEQ Regional VWPPP Managers